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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/258,302	02/26/1999	MASAYUKI INOUE	501.36884X00	3656

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EXAMINER

LAстра, DANIEL

ART UNIT PAPER NUMBER

3622

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/258,302

Applicant(s)

INOUE ET AL.

Examiner

DANIEL LASTRA

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 21-44 have been examined. The Application 09/258,302 (**POINT MANAGEMENT SYSTEM**) has a filing date 2/26/1999 and foreign priority of 03/03/1998.

### ***Response to Amendment***

2. In response to Non Final Rejection filed 11/03/2004, the Applicant filed an Amendment on 04/04/2005, which amended claims 21-28, 38, 39 and 42.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takaragi et al (U.S. 4,885,788) in view of Mori et al (U.S. 5,659,166) and further in view of Eggleston (US 6,061,660).

As per claims 21-26 and 38, Takaragi et al teach:

A point management system comprising:

a point system management apparatus for registering information of a store which participates in a point system, and for providing the store with a register store number for identifying the store and a crypt key of the store for encrypting data, both of

Art Unit: 3622

said register store number and said crypt key of the store being peculiar to the store (see column 2, lines 1-25; see column 3, lines 59-65). Takaragi does not expressly mention a register store number corresponding to a store. However, lines 20-25 of column 1 teach that the IC card has transaction areas that are different depending upon the store, so that one store is not allowed to make reference to the transactions of other stores. And lines 59-67 of column 3 and figure 6, item 117 teach that each transaction area has a different authentication code that is used by each store to access its specific transaction area. Also, Takaragi teaches in column 2, lines 5-24 teaches "The IC card administrator assigns an encipher key code and a decipher key code for each of the transaction areas, writes an available upper-limit amount of money and the encipher key code or the decipher key code on a portion of the corresponding transaction area, and encrypts the transaction area using the encipher key. The IC card administrator hands the IC card over to the user. The IC card administrator further hands the encipher keys and the decipher keys to the respective individual stores so that they can encrypt and decipher the transaction areas. Owing to the above mentioned procedures different encipher keys and decipher keys are held by the different stores. Therefore, a given store is permitted to process only the transaction areas that correspond to the encipher key and the decipher key held by that store from among the plurality of transactions areas contained in the IC card". Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that each transaction area would have a unique authentication code that would function as the registered store number corresponding to a store. This feature, in combination with the

Art Unit: 3622

encipher codes that are also different for each store (see column 8, lines 25-30), would keep the information from one store secret from the other stores.

Takaragi teaches an IC card that has a memory having a plurality of storage areas, each of said point storage areas storing point data, which is assigned corresponding to a customer's use, and a point management application, having a crypt key corresponding to said crypt key of the store, for processing data, including point data encrypted by said crypt key of the store, using said crypt key of said point management application, and for managing access to a point storage area corresponding to the store based on a register store number corresponding to the store and a reading and writing apparatus which reads and writes said IC card by using said register store number and said crypt key of the store wherein each point storage area of a store is formed in corresponding relation to a register store number of the store to permit the point storage area of the store to be accessed using the register store number and a crypt key (see Takagari column 2, lines 1-17; column 3, lines 59-65, column 8, lines 25-31). Takaragi does not teach the store of point data in the IC card. However, Mori teaches of an IC card that stores point data in an IC card and a point management system that checks if the number of points has reached a predetermined number. When the predetermined number of points has been reached, this state is automatically judged, and the predetermined number of points is converted into a number, which is then added to the pre-paid region of the card (see column 5, lines 35-45). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that if the Takaragi IC card stores account

Art Unit: 3622

balances (see column 4, lines 63-67 – column 5, lines 1-15), it would also store point data, as taught by Mori. Each store would have a different transaction area in the Takaragi card and would store the balance and amount of points accumulated for that particular store. The granting of points would be an incentive for customers to use the Takaragi card as every purchase would increase the number of points that would be used to redeem awards or to receive credits.

Eggleston teaches an IC card that has a memory *storing a card number and point data which is assigned corresponding to a use of said IC card by a customer and reads the card number and the point data from the IC card and transmits the card number and the point data* (see Eggleston column 42, lines 14-67; column 13, lines 5-67); *a reference center (i.e. Host computer; see Eggleston figure 3, item 18) which stores numbers and associated customer data for customer using IC cards, said customer data for each customer including a name and an address of said customer* (see Eggleston column 13, lines 5-67); *and an application center (i.e. "sponsor website"; see Eggleston column 13, lines 44-67) which is connected to said reference center and said reading and writing apparatus, and which receives the card number and the point data from said reading and writing apparatus, holds the card number and the point data, conducts a lottery in respect to various customers, determines a winning customer who is the winner of said lottery as a result of conducting said lottery communicates with said reference center using said card number to retrieve from said reference center (i.e. host computer; see Eggleston figure 1, item 18) customer data corresponding to said winning customer, and sends a gift to an address of said winning*

Art Unit: 3622

*customer based on an address included in said customer data retrieved from said reference center* (see Eggleston column 13, lines 29-67; column 42, lines 1-32; column 21, line 65 – column 22, line 6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that if the Takagari IC card stores account balances (see column 4, line 63 – column 5, line 15), it would also store point data, as taught by Mori and would allow users of said IC card to participate and win prizes in incentive programs (i.e., lotteries or sweepstakes), as taught by Eggleston. Allowing IC cards' members to participate and win prizes in incentive program using said IC card would be an incentive for said members to continue using said IC card.

As per claims 27, 28 and 42-44, Takaragi et al teach:

A point management system comprising:

point system management apparatus which registers stores which participate in a point system, and which provides each of the stores with a register store number, and a crypt key which are peculiar to the store, and which controls a plurality of said stores as a group and provides to the group of stores a group number which is peculiar to the group (see column 2, lines 1-25; see column 3, lines 59-65). Takaragi does not expressly mention a register store number corresponding to a store. However, lines 20-25 of column 1 teach that the IC card has transaction areas that are different depending upon the store, so that one store is not allowed to make reference to the transactions of other stores. And lines 59-67 of column 3 and figure 6, item 117 teach that each transaction area has a different authentication code that is used by each store to access

Art Unit: 3622

its specific transaction area. Also, Takaragi teaches in column 2, lines 5-24 teaches "The IC card administrator assigns an encipher key code and a decipher key code for each of the transaction areas, writes an available upper-limit amount of money and the encipher key code or the decipher key code on a portion of the corresponding transaction area, and encrypts the transaction area using the encipher key. The IC card administrator hands the IC card over to the user. The IC card administrator further hands the encipher keys and the decipher keys to the respective individual stores so that they can encrypt and decipher the transaction areas. Owing to the above mentioned procedures different encipher keys and decipher keys are held by the different stores. Therefore, a given store is permitted to process only the transaction areas that correspond to the encipher key and the decipher key held by that store from among the plurality of transactions areas contained in the IC card". Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that each transaction area would have a unique authentication code that would function as the register store number corresponding to a store. This feature, in combination with the encipher codes that are also different for each store (see column 8, lines 25-30), would keep the information from one store secret from the other stores.

Takaragi does not expressly teach a group transaction area where several stores would save their transaction data. However, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that if Takaragi has different transaction areas in the same IC card, it would have a transaction area that would be used by several stores. The stores would have the same encipher key to



Art Unit: 3622

access that area and would save their data in the same transaction area (see column 2, lines 17-25). This feature would help stores to share data between them.

Takaragi teaches an IC card having a memory having a plurality of point storage areas, each storing point data which is assigned by each of the stores corresponding to a customer's use and a group point storage area storing group point data which is assigned by the stores corresponding to a customer's use of a store in the group, and a point management application, having a crypt key corresponding to said crypt key of the store, for processing data, including point data encrypted by said crypt key of the store, using said crypt key of said point management application, managing access to a point storage area corresponding to the store based on a register store number corresponding to the store, and managing access to said group point storage area based on said group number and a reading and writing apparatus which reads and writes said IC card by using said register store number corresponding to the store, said group number and said crypt key of the store, wherein each point storage area of a store is formed in corresponding relation to a register store number of the store to permit the point storage area of the store to be accessed using the register store number and a crypt key (see column 2, lines 1-17; column 3, lines 59-65, column 8, lines 25-31). Takaragi does not teach the store of point data in the IC card and *reads the card number and the point data from the IC card and transmits the card number and the point data*. However, Mori teaches of an IC card that stores point data in an IC card and a point management system that checks if the number of points has reached a predetermined number. When the predetermined number of points has been reached,

Art Unit: 3622

this state is automatically judged, the predetermined number of points is converted into a number, which is then added to the pre-paid region of the card (see column 5, lines 35-45). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that if the Tanager's IC card stores account balances (see column 4, lines 63-67 – column 5, lines 1-15), it would also store point data, as taught by Mori. Each store would have a different transaction area in the Takaragi card and would store the balance and amount of points accumulated for that particular store. The granting of points would be an incentive for customers to use the Takaragi card as every purchase would increase the number of points that would be used to redeem awards or to receive credits.

Eggleston teaches *IC card having a memory storing a card number and point data which is assigned corresponding to a use of said IC card by a customer* (see Eggleston column 13, lines 29-67) *a reference center (i.e. Host computer; see column 12, lines 20-35) which stores numbers and associated customer data for customer using IC cards, said customer data for each customer including a name and an address of said customer* (see Eggleston column 13, lines 6-42); and

*a reader and writer which reads the card number and the point data from the IC card and transmits the card number and the point data* (see Eggleston column 42, lines 14-25);

*an application center (i.e. Host computer; see Eggleston figure 3, item 18) which is connected to said reference center and said reader and writer, and which receives the card number and the point data from said reader and writer, holds the card number*

Art Unit: 3622

*and the point data, conducts a lottery in respect to various customers, determines a winning customer who is the winner of said lottery as a result of conducting said lottery communicates with said reference center using said car number to retrieve from said reference center customer data corresponding to said winning customer, and sends a gift to an address of said winning customer based on an address included in said customer data retrieved from said reference center (see column 13, lines 29-65; column column 21, line 65 – column 22, line 6).* Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that if the Takagari IC card stores account balances (see column 4, line 63 – column 5, line 15), it would also store point data, as taught by Mori and would allow users of said IC card to participate and win prizes in incentive programs (i.e., lotteries or sweepstakes), as taught by Eggleston. Allowing IC cards' members to participate and win prizes in incentive program using said IC card would be an incentive for said members to continue using said IC card.

As per claim 29, Takaragi et al teach:

An IC card according to claim 22, wherein said point management application distinguishes data transmitted from a reading and writing apparatus of several stores and records points in an area within said plurality of point storage areas of said memory (see column 2, lines 1-30; column 8, lines 25-30).

As per claim 30, Takaragi et al teach:

Art Unit: 3622

An IC card according to claim 29, wherein said point management application allows access to an area that corresponds to transmitted data and prohibits access to other areas (see column 8, lines 25-30).

As per claim 31, Takaragi et al teach:

An IC card according to claim 29, wherein said point management application allows writing point data into an area that corresponds to transmitted data, and prohibits writing to other areas, and reads point data from both an area that corresponds to transmitted data and another store's area (see column 3, lines 55-67 – column 4, lines 1-15; column 8, lines 25-31).

As per claim 32, Takaragi et al teach:

A point management system according to claim 25, wherein said point management application distinguishes data transmitted from a reading and writing apparatus of several stores and records points in an area them within said plurality of point storage areas of said memory (see column 2, lines 1-25; column 8, lines 25-31).

As per claim 33, Takaragi et al teach:

A point management system according to claim 32, wherein said point management application allows access to an area that corresponds to transmitted data and prohibits access to other areas (see column 8, lines 25-32).

As per claim 34, Takaragi et al teach:

A point management system according to claim 32, wherein said point management application allows writing point data into an area that corresponds to transmitted data, and prohibits writing to other areas, and reads point data from both an

Art Unit: 3622

area that corresponds to transmitted data and another store's area (see column 3, lines 59-67 – column 4, lines 1-7; column 8, lines 25-31).

As per claim 35, Takaragi et al teach:

An IC card according to claim 22, wherein each of said point storage areas has a history storage area storing times of using said IC card in the store corresponding to said point storage area (see figure 3, item 61).

As per claims 36, 40 and 41, Takaragi et al teach:

A point management system according to claim 25, wherein said point management application writes crypt key peculiar to the new store when securing the point storage area for the new store (see column 8, lines 25-31).

As per claim 37, Takaragi et al teach:

A point management system according to claim 25, wherein each of said point storage areas has a history storage area storing times of using said IC card in the store corresponding to said point storage area (see column 8, lines 25-31).

Claim 39 contains the same limitations as claims 21 and 22 therefore the same rejection is applied.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 21-44 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

Art Unit: 3622

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

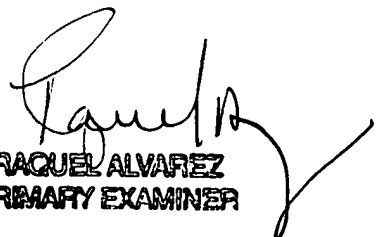
Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W STAMBER can be reached on 571-272-6724. The RightFax number of the Examiner is 571-273-6720.

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DL

Daniel Lastra  
May 30, 2005

  
RAQUEL ALVAREZ  
PRIMARY EXAMINER